

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Katharine S. Hayden
v. : Crim. No. 09-298 (KSH)
KERRY DEMINGS : CONTINUANCE ORDER

This matter having come before the Court on the joint application of Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (by Zach Intrater, Assistant U.S. Attorney), and defendant Kerry Demings (by Kevin Carlucci, Esq., Assistant Federal Public Defender) for an order granting a continuance of the proceedings in the above-captioned matter to pursue plea negotiations, and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18 of the United States Code, Section 3161(c)(1), and as the defendant has consented to such a continuance, and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

1. Plea negotiations are currently in progress, and both the United States and the defendant desire additional time to finalize a plea agreement, which would render trial of this matter unnecessary;


2. The grant of a continuance will likely conserve judicial resources;

3. Pursuant to Title 18 of the United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS, therefore, on this 14th day of September, 2009, ORDERED that this action be, and it hereby is, continued for a period of 60 days from September 28, 2009; and it is further

ORDERED that motions shall be filed September 23, 2009; the opposition motions shall be filed by September 30, 2009; the argument of motions is scheduled for October 14, 2009, at 2:00 p.m.; and the trial is scheduled for November 2, 2009, or a date to be set by the Court; and it is further

ORDERED that the period from September 29, 2009, through and including November 28, 2009, shall be excludable in computing time under the Speedy Trial Act of 1974, pursuant to Title 18, United States Code, Section 3161(h)(7).



Hon. Katharine S. Hayden
United States District Judge

Form and entry
consented to:

/s/ Zach Intrater
Zach Intrater
Assistant U.S. Attorney

Kevin Carlucci, AFPD
Counsel for defendant Kerry Demings